

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS - PR&RD- Sri A. Ramulu Naik, former Superintending Engineer, Rural Water Supply and Sanitation, Kurnool – Allegations in discharging his official legitimate duties in reinstating Sri M. Rajendra Prasad, WI, RWS&S SD Kurnool without permission from the higher authorities – Disciplinary action initiated – Written Statement Of Defence received – Further action – Dropped – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No. 889

Dated: 17-06-2010.

Read the following:-

1. From the Engineer-in-Chief, Rural Water Supply and Sanitation, Lr.No.Vig.(2)/2222/2009, Dt:25-08-2009.
2. Govt.Memo.No.8022/Vig.II/A1/2009-2, PR & RD (Vig.II) Deptt., dt:10.09.2009.
3. From the Engineer-in-Chief, RWS&S, Hyd., Lr.No. Vig. (2)/2222/2009, dt:9.10.2009.
4. Govt. Memo. No.8022/Vig.II/A1/2009-3, PR & RD (Vig.II) Deptt., dt:23.12.2009.
5. From the ENC, RWS&S, Hyd., Lr.No.Vig. (2)/2222/09, dt:25.01.2010.
6. G.O.Rt.No. 247, PR & RD (Vig.II) Deptt., dt:04.03.2010.
7. From Sri A. Ramulu Naik, formerly SE, RWS&S, Kurnool, explanation dt:24.2.2010.

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ORDER:

It has been brought to the notice of the Government, that Sri A. Ramulu Naik, former Superintending Engineer, Rural Water Supply and Sanitation, Kurnool has reinstated Sri M. Rajendra Prasad, Work Inspector, RWS&S SD Kurnool, who is under suspension in disproportionate of assets case, without permission from the higher authorities. Charges were framed against Sri A. Ramulu Naik, former SE, RWS & S, Kurnool, vide reference 6th read above.

2. Sri A. Ramulu Naik, former Superintending Engineer, Rural Water Supply and Sanitation, Kurnool has submitted his written statement of defence, vide reference 7th read above, has stated that, as per the radio message, Sri M. Rajendra Prasad, Work Inspector was kept under suspension vide Procs Dt:26.12.2008 of Superintending Engineer, RWS, Kurnool. As per the directions of the Government Dt:5.5.2009, after six months period, the suspension of the A.O. was reviewed and the A.O. was continued to be under suspension vide Procs Dt:26.6.2009. The A.O has filed O.A.No.7846/09 and on that the Hon'ble APAT in orders Dt:10.8.2009 has set aside the suspension orders issued in Procs. Dt:26.12.08 and continuing orders issued in Procs Dt:26.6.2009 and directed to reinstate the applicant into service within a period of 2 weeks from the date of receipt of the order and post him in non-focal post. On the orders of APAT, he has requested the ENC, RWS for issue of necessary permission to reinstate the A.O. into service, vide Lr.dt:21.8.2009, Dt:27.8.2009 and Dt:1.9.2009, but no instructions were received in this regard to follow and act accordingly. Due to non-availability of the time and non-receipt of necessary directions in the matter, he had sought for the legal opinion from the Government Pleader, Kurnool and the Government Pleader, Kurnool has given her opinion stating that she is of the opinion that as per the directions of the APAT on O.A.No.7846/09, the Department has to reinstate the A.O. with immediate effect to avoid contempt proceedings. Accordingly, he reinstated the A.O. into service, so as to avoid contempt proceedings and not on his wish and only to honour the orders of Hon'ble APAT. Later on the ENC, RWS in Memo Dt:15.9.09 while enclosing the Govt Memo Dt:10.9.2009 has issued instructions to file an appeal by way of writ petition and also obtain stay orders from the APHC on the APAT orders Dt:10.8.2009. Accordingly, an appeal in W.P. No.26612/09 was filed before the Hon'ble High Court of A.P. The Government Pleader, APHC in his letter Dt:07.12.2009 has informed that on 5.12.2009, the Hon'ble APHC admitted the WP and granted interim suspension. For the reasons explained above, he has requested to be exonerated from the charge and drop further action, in the matter.

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3. Government, after careful examination of the matter, hereby decide to accept the written statement of defence submitted by Sri A. Ramulu Naik, former Superintending Engineer, RWS&S, Kurnool and, accordingly, hereby order dropping of further action against Sri A. Ramulu Naik, formerly Superintending Engineer, RWS&S, Kurnool, in the matter.

4. The Engineer-in-Chief, RWS&S, Hyderabad shall take necessary further action, in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMACHANDRAN
PRINCIPAL SECRETARY TO GOVERNMENT(RWS&S)

To
Sri A. Ramulu Naik,
formerly Superintending Engineer, RWS&S, Kurnool
through the Engineer-in-Chief, RWS&S, Hyderabad.
The Engineer-in-Chief, RWS&S, Hyderabad.
SF/SC's.

// FORWARDED :: BY ORDER //

SECTION OFFICER